

Chairman
Mark Yarbrough

Administrator
Pam Ball

Limestone **County Commission**



Commissioners:
Stanley Hill
Steve Turner
Jason Black
Ben Harrison

January 4, 2017

Alabama Department of Economic and Community Affairs (ADECA)
Attention: Crystal Davis
Recreation and Conservation Programs Manager
Post Office Box 5690
Montgomery, Alabama 36103-5690

Ms. Davis:

Please find enclosed all documentation required for the pre-application process for a Recreational Trails Program grant. You will find the following.

- Signed Pre-Application Form
- Signed Resolution
- Narrative Description of the Proposed Project
- Cost Estimate
- Preliminary Site Plan
- Legal Description of Property
- Location Map
- Verification of sam.gov Registration

Our request for funding is to make much needed repairs to the *Richard Martin Trail*, which include repairing and covering two bridges, repairing locations of erosion, instillation of signage and a Universal Trail Assessment Process (UTAP).

Our Trail has been extremely successful over the years. Thousands of people come from all over the country to enjoy its beauty and benefits.

I appreciate this opportunity to submit this grant proposal, and should you have any questions, please don't hesitate to call me at 256-233-6400.

Best Regards,

A handwritten signature in dark ink, appearing to read "Mark Yarbrough".

Mark Yarbrough
Chairman
Limestone County Commission

FY2017-18 RECREATIONAL TRAILS PROGRAM

PRE-APPLICATION FORM

DEADLINE: NOON, FRIDAY, January 6, 2017

Applicant's Name (Organization): Limestone County Commission

Address: 310 West Washington Street

Athens, AL

ZIP: 35611

County: Limestone

FEI Number: 63-6001607

DUNS Number: 0503122771

Project Title (6 words max): Richard Martin Trail Additions & Repairs

Project Description (25 words max):

Repair two bridges. Construct two interpretive signs. Correct erosion areas on Trail and do UTAP assessment.

Park Name, if applicable: Richard Martin Trail

Park Address: Limestone County Rails to Trails

19779 Piney Chapel Road

Athens, AL

ZIP: 35614

GPS Coordinates of Project
(in degrees):

Piney Chapel – Begin Latitude N 34 degrees 50.895 minutes
Longitude W 86 degrees 58.171 minutes
Veto – End Latitude N 34 degrees 59.683 minutes
Longitude W 86 degrees 59.313 minutes

Congressional District: 5

State Senate District: 2

State House District: 5

Applicant Chief Elected Official,
Director, or President:

Mark Yarbrough

Chairman, Limestone County Commission

Phone and Email: 256-232-6400 mark.yarbrough@limestonecounty-al.gov

Grant Administrator or
Other Contact:

Sonya Anthony

Phone and Email: 256-216-3424 sonya.anthony@limestonecounty-al.gov

Project Information

Name of Project: Richard Martin Trail Additions & Repairs

Trail Length in Linear Feet (L.F.): 10.8 Trail Width: 10 Feet

Trail Surface Type: Crusher Run

Application Type: ☐ Non-motorized for a Single Use ☐ Motorized
☒ Non-motorized for Diverse Use ☐ Educational

Type of Applicant: ☐ City/Town ☒ County
☐ State ☐ Private Organization

Total Estimated Project Cost	\$	<u>161,000</u>
Grant Amount Requested	\$	<u>128,800</u>
Total Local Match	\$	<u>32,200</u>
Cash Match	\$	<u>10,000</u>
In-Kind Match	\$	<u>22,200</u>
Donation	\$	<u>0</u>

Brief Description of the Project:

There are two uncovered bridges that will be repaired and covered. Two interpretive signs will be constructed. One sign will be at the Sulfur Creek Trestle, and one at the Elkmont station. Repairs will be made to locations on the trail that have eroded. A Universal Trail Assessment will be done and signage installed (where needed) for a more accessible Trail.

Please address each evaluation criterion and insert your answers below each (120 Total Available Points).

- 1. Describe the degree to which the project's scope and feasibility meet the project area's recreational needs. (Key Consideration: Does the project appear to be feasible and incorporate a good project design with consideration given to the natural and cultural environment in which the project is located, and appropriate consideration given to needs and benefits?) 10 Points Available**

Improvements and additions will not change the design of the original trail project, but enhance the trail's usability and appeal. The Richard Martin Trail is a 10.8-mile trail from Piney Chapel Road to Veto. There are four bridges on the Trail. Two are covered, and two are not. The uncovered bridges have areas that need to be repaired/replaced for the integrity of the bridges. Repairs will be made, and they both will be covered. Covering these two bridges will ensure that they will last much longer. Two interpretive signs will be constructed; one at the Sulfur Creek Trestle, and one at the Elkmont station. Sites on the side of the trail that have eroded over time will be repaired. There will be a Universal Trail Assessment Process (UPAP)

done to the Trail and the installation of trail access information signage where needed. These improvements will enhance the scope of the original trail project and ensure the continued use of the trail.

- 2. Describe the ways in which the project provides for the greatest number of compatible recreational purposes. (Key Consideration:** An important concern is that this project will enhance the quality and quantity of recreational trail opportunities available in the community or region. Maximum points will be given to projects with connectivity to other trails or parks, environmental education and preservation, and economic development opportunities.) **10 Points Available**

Along with the health advantages of walking the Trail, it is intended as a nature study and scenic observation trail. It is used to preserve, restore and highlight historical heritage of the area. The uniqueness of this project design is the combination of the scenic beauty and intermeshed history of the railroad as a developmental force in American History in general and the Civil War era in particular. Repairing the bridges and correcting erosion problems will ensure that the trail will continue to be a safe avenue for trail enthusiasts.

The Richard Martin Trail follows the path of the CSX rail right-of-way. It winds northward passing through the communities of Hays Mill, Elkmont and Veto (the Alabama/Tennessee border.) There are several major historical sites and structures along the route such as the Sulphur Creek Trestle Civil War Fort and the Elkmont Railroad Station, built in 1885. Interpretive signage at the Sulphur Creek Trestle and the Elkmont Railroad Station describing the battle, along with a picture of the original Sulphur Creek Trestle, will provide important historical information to the public that is so relevant to this particular trail.

- 3. Describe the ways in which the project provides a new, unique, or more effective means for making trail opportunities available to the public. (Key Consideration:** This criterion includes projects of national, regional, and local demonstration value. The most important concern is whether the grant recipient is committed to trying an approach that is new at the local level. Additional points are awarded for nationwide applicability and statewide or regional value. The applicant must commit to documenting the results of the demonstration.) **10 Points Available**

The Richard Martin Trail is on the National Recreation Trails database, Rails to Trails Conservancy, and also on several trail review websites such as northalabama.com and trailink.com. These sites highlight the important hiking/biking/riding qualities of the Trail along with the many events taking place during the year. Some of the events include Sassafra Tea Day, Belle Chevre's Run with The Goats, Horse and Buggy Day and National Trail Day, to mention a few.

The local, state and national exposure of the Richard Martin Trail has more than

demonstrated the value of this on-going project. It has shown that the Limestone County Commission is totally dedicated to making this Trail one of the best in the state and nation. The improvements made with the requested funding will ensure that this commitment continues.

- 4. Describe the ways in which the project facilitates the access and use of trails by persons with disabilities, older citizens, economically disadvantaged, and other special populations or groups. (Key Consideration: Whether this project will expand recreation opportunities for special populations with recreation deficiencies.) 10 Points Available**

The trailheads of the Trail already have ADA accessible restrooms, and the Veto church is also ADA accessible. The UTAP assessment will enhance the Trail by providing information through any Trail Access Information signage that may be placed on the Trail to make it more accessibility friendly.

Seniors are currently using the trail for outings, and the whole trail is wheelchair accessible. The interpretative signage will be entertaining to the elderly who know the history of the area and educational for visitors who have no idea of the historical events that took place here.

There is no charge to use the trail; therefore, it is a perfect place for economically disadvantaged groups and families to come for a beautiful and educational outing.

- 5. Describe the ways in which the project creates opportunities for new partnerships between trail users, private interests, and public agencies within the project area. (Key Consideration: The major concern is that this project is a component of an integrated effort to enhance economic revitalization and community conservation. Maximum points will be given to applicants providing evidence of cooperative efforts with trail user groups and/or multiple public meetings.) 10 Points Available**

Since the early 1990's, this trail project has been a cooperative endeavor. The Limestone County Parks and Recreation Board began developing a plan to turn the old CSX Railroad track into a major trail through Limestone County. After presenting the plan to the Limestone County Commission, the joint effort became the Limestone County Rails to Trails, later named the Richard Martin Trail. Many other organizations and schools became partners in the effort.

Today Limestone County has a trail accommodating a variety of users. It has also spawned several economic opportunities for county residents. A Limestone resident built a horse barn where he rents horses to trail users. His rental business has turned into purchases, which increases county revenue. He has a \$300,000 investment because of the Trail.

The owner of Belle Chevre, a goat cheese manufacturer, opened another shop next to the Trail. She has been so successful, that she began an event each year called Run with The Goats. Trail enthusiasts from near and far love to stop at her shop.

These businesses, along with many other activities on the Trail, prove that this project has and will continue to enhance economic revitalization and community support in Limestone County.

- 6. Describe the ways in which the project uses the grant funds to leverage other public or private investments (in the form of services and materials as well as dollars). (Key Consideration: The major concern is whether actual leveraging is assured or the potential for leveraging is good, outside of any funds committed for the initial grant match. Maximum points will be given for applicants committing double the minimum local match or higher.) 10 Points Available**

Local contributions have been a great part of developing the Trail project. The on-going project is expected to continue to generate additional revenue, as shown in Question 5, along with contributions from local business and users of the Trail. Historical art prints and wildlife prints relating to the Trail have been sold, also generating revenue.

As improvements continue to be made to the Trail, the value of real estate adjoining the Trail increases. Mills Creek Park, a nice family oriented campground on the Trail, will continue to benefit, because improvements bring more people to the Trail, therefore positively contributing to the economic condition of the area.

- 7. Describe the degree of commitment to continue operation and maintenance of the project. Include an operation and maintenance plan detailing the amount of money needed to operate and maintain the trail after it is completed and identify who will be responsible for the work. (Key Consideration: Whether the grant recipient is willing to commit to continue the maintenance and operation of the project and whether the applicant provides a realistic operation and maintenance plan/budget. Additional points will be awarded to applicants demonstrating innovative funding measures for trail maintenance.) 10 Points Available**

The Limestone County Commission made a commitment to provide financial and maintenance assistance for the Trail years ago when the project began. The Director of the Limestone County Parks and Recreation Board is an employee of the Commission, and the Trail is under his supervision.

Following is the maintenance plan for the Trail:

The Trail heads are cleaned twice weekly. This includes cleaning bathrooms,

cutting the grass and overall cleaning of the areas. The Trail is observed weekly for additional maintenance needs. Trees/limbs are removed, spraying for overgrowth and signage maintenance is performed when deemed necessary. Resurfacing, tree removal etc. is done during the winter months, unless a specific need occurs. Baths are open year round except when there is freezing weather. Bathrooms are maintained year round.

For the Fiscal Year 2016/2017, the Limestone County Commission has provided a \$29,914 budget for the maintenance and upkeep of the Richard Martin Trail.

- 8. The degree to which community involvement is addressed: i.e., (A) Project idea originated with trail users or a community group that has substantial knowledge, and (B) The private sector (including individual citizens, community groups, or local business enterprises) has participated in the development of the proposed idea and has made commitments of labor, money, or materials to support proposed implementation. (Key Consideration: The objective is to determine if the project is responding to citizen-identified needs. The priority of the project to users is evidenced by citizen support for the idea. Additional points will be awarded to applicants demonstrating that the project concept was originally proposed at the grassroots level and, especially, for extensive citizen or private organization involvement in project development and support in project implementation. Maximum points will be awarded to applicants demonstrating extensive involvement and participation from citizens and interest groups during all phases of application development and commitments beyond.) 10 Points Available**

The original concept of the Richard Martin Trail was begun back in the early 1990's by Richard Martin of Elkmont, AL. He saw the need and had a vision for the Trail. Along with the Limestone County Parks and Recreation Board, Mr. Martin approached the Limestone County Commission with his vision and convinced them of the importance of the project. The Commission agreed, and partnered with them to create the Trail.

Over the years, participation from all types of public and private entities have worked and contributed to the development and continuation of the Trail. Children in the school systems saved their pennies and gave to the project. The Boy Scouts of America have made benches and helped work on the Trail. The Limestone County Commission oversees the maintenance and supervision of the Trail. Equestrian groups have events and contribute part of the proceeds to help maintain the Trail. The Richard Martin Trail is a very important part of Limestone County and the thousands of people who come each year to use it.

- 9. Describe in detail how the trail will be managed. Include discussion on season length, hours of operation, limitations on use, enforcement provisions, and scheduling. 10 Points Available**

The management of the Richard Martin Trail is the responsibility of the Limestone County Commission and the Limestone County Parks and Recreation Board. The Director of the Board (a Limestone County Commission employee) and its members meet regularly to provide oversight of the Trail. Along with the Board members, there are daily local walkers who pick up trash, survey the Trail and report to the Director any problems and future maintenance needs. The Director makes sure all maintenance and upkeep is performed in a timely manner.

The Trail is open to the public year round. The hours of operation are from sunrise to sunset. The Richard Martin Trail is a non-motorized trail to be used at any time. The area game warden patrols the Trail to keep out hunters and motorized vehicles. The Elkmont Police and the Limestone County Sheriff's Office work together patrolling the Trail. The only required reservations are those events involving a great number of people. Otherwise, no reservations are ever needed to utilize the Trail. The Veto Church must be scheduled for events, but no booking charge is required.

- 10. Identify and describe the service area of the project. Approximately how many people do you propose to serve with this project? Identify other trail resources in the service area by trail type (motorized, non-motorized, multi-use), distance, location in relation to the proposed trail, and ownership. (Key Consideration: The RTP was created to address trail needs in the urban and rural areas of the state. In order to assess the need for additional trails it is first necessary to identify the quantity and location of existing resources within the service area. It is also necessary to establish a service area – either population or resource based. For example, a population based service area could be a neighborhood, school district, or political jurisdiction whereas, a resource based service area might be defined along a linear greenway, water course, or unique natural/cultural area. However, in both instances, an estimate of the number of beneficiaries should be provided.) 10 Points Available**

The Richard Martin Trail initially serviced residents of Limestone County and surrounding Alabama counties. Through the years, the popularity of the Trail has grown until the Richard Martin Trail is visited by people from all over the USA. The North end of the Trail is on the Alabama/Tennessee border; therefore, many Tennessee residents use the Trail along with many other out-of-state visitors. There are plans to coordinate with Tennessee officials to join their trail to ours.

There are many organizations and clubs that use the Trail. Several different equestrian groups have trail rides during the year, each bringing 70 to 80 people per event. Cowboys for Christ and St. Jude's Hospital Ride are among the events that raise money for charity on the Trail. Groups have yearly rides and donate a portion of their profit to the Trail. The Lions Club has a 10K run bringing 200+ users. Various bicycle groups have events several times per year.

A Huntsville running group comes 5-6 times per year, and local high schools have cross-country races with 200+ people attending.

Based on past usage of the Trail, it is expected that 30,000 or more people will visit the Richard Martin Trail within the next 12 months. The improvements made with this requested funding will enhance the Trail to enable visitors to enjoy their Trail experiences.

Other non-motorized trails in the area include an 8-mile walking trail in the City of Athens. Five miles away is the Wellness Park Walking Trail provided by Athens Limestone Hospital. Most county schools have walking tracks available to everyone.

A multi-use trail available in Limestone County is the Noah Bike & Vintage Car Trail. This is an 89-mile bicycle, motorcycle and vintage car trail offering a beautiful ride in Limestone County. Historic sites, cemeteries and great picnic areas are focused on this trail.

- 11. Identify the length of time the trail will be maintained and open and available to the public and identify the method to be used to ensure this commitment (deed covenant, deed restriction, etc.). (Key Consideration: The objective is to utilize RTP funds to the greatest extent possible by ensuring the improvements are maintained and available for public trail use as long as possible. Points will only be awarded to applicants exceeding the minimum required timeframe for a trail development project to remain open to the public. Maximum points will be awarded to applicants electing to maintain the improvements in perpetuity.) 15 Points Available**

The Limestone County Commission has been a partner in the Richard Martin Trail since its inception. It has been responsible for match money in every grant that has been written for the Trail. The Commission has hired an employee to manage the Trail, along with other recreational sites owned by the County. The Trail will be maintained, open and available to the public indefinitely. Improvements made with the requested funding will be maintained permanently.

- 12. The Universal Trail Assessment Process (UTAP) and the High Efficiency Trail Assessment Process (HETAP) are methods of obtaining and recording objective data related to outdoor, natural environments. They are tools that land managers, agencies, and individuals can utilize to learn about, monitor, improve, and encourage the safe and enjoyable use of any outdoor path of travel. Points are available to project sponsors committing to the assessment of the trail and installation of Trail Access Information signage. (Key Consideration: The assessment of trail conditions for accessibility and maintenance is an eligible RTP project cost and can be included in the project budget. For projects such as the development of trailhead and trailside facilities,**


points may still be obtained if the sponsor commits to the assessment of the trail(s) for which the support facilities are being constructed.) **5 Points Available**

The Limestone County Commission and the Limestone County Parks and Recreation Board commit to having the UTAP and the HETAP assessment done on the Richard Martin Trail. We also commit to the installation of any Trail Access Information signage that the assessment deems necessary.

NOTE: Property acquired with RTP funds must remain open to the public in perpetuity. Should the property cease to be open to the public for trail use, the applicant must repay the RTP 80% of the fair market value of the property at the time of the change in use. If the project is located on an easement or on leased land, the minimum timeframe for the easement or lease is 25 years. The project must remain open for public access for the use for which the RTP funds were intended during that time. For development projects on applicant owned property, the project must remain open for public assess for the use for which the RTP funds were intended for a minimum of 25 years.

Total Project Cost: \$161,000 Funds Requested: \$128,800

Important Note: The maximum grant amount by trail type is **\$70,000.00** for non-motorized, single-use trails; **\$200,000.00** for non-motorized, diverse-use trails; **\$500,000.00** for motorized trails, or **\$87,489.00** for education projects.



Mark Yarbrough



Chairman, Limestone County Commission

1-4-17

Date

Resolution

FY 2017

2017 Alabama Department of Economic and Community Affairs,
Recreational Trails Grant Program

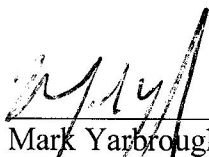
WHEREAS, the Limestone County Commission desires, on behalf of its citizens, to make application for and to utilize the funds and resources of the Alabama Department of Economic and Community Affairs FY 2017 Recreational Trails Program; and

WHEREAS, the Limestone County Commission intends to use said funds to make improvements to the Rails to Trails, Richard Martin Trail by repairing two bridges; adding interpretive signage at Sulfur Creek Trestle Bridge and Elkmont Station; repairing serious erosion spots; and conducting a Universal Trail Assessment (half to be paid for by the Limestone County Parks and Recreation Board); and

WHEREAS, said programs are limited to funding a maximum of eighty percent (80%) of the proposed project costs (\$161,000), estimated at \$128,800, which will be used for repairs to the project.

NOW THEREFORE BE IT RESOLVED, that the Limestone County Commission hold in reserve twenty percent (20%) of the proposed project cost, for a total of \$32,200, for the purpose of matching the Recreational Trails Program assistance, and


BE IT FURTHER RESOLVED, that in the event a grant is awarded, the Limestone County Commission understands that it will sign assurances to comply with all applicable Federal and State laws, rules and regulations.



Mark Yarbrough
Chairman, Limestone County Commission



Date



Attest
Pam Ball
County Administrator

Project Descriptive Narrative

Provide a brief, yet informative, description of the proposed project; address each evaluation criterion on the following pages (provide additional narrative and documents as may be needed to support your response to each evaluation criterion); and include a cost estimate, a preliminary site plan, plat and/or legal description, and location map.

The Richard Martin Trail is a 10.8-mile trail from Piney Chapel Road to Veto. There are four bridges on the Trail. Two are covered, and two are not. The uncovered bridges have areas that need to be repaired/replaced for the integrity of the bridges. Repairs will be made, and they both will be covered. Covering these two bridges will ensure that they will last much longer.

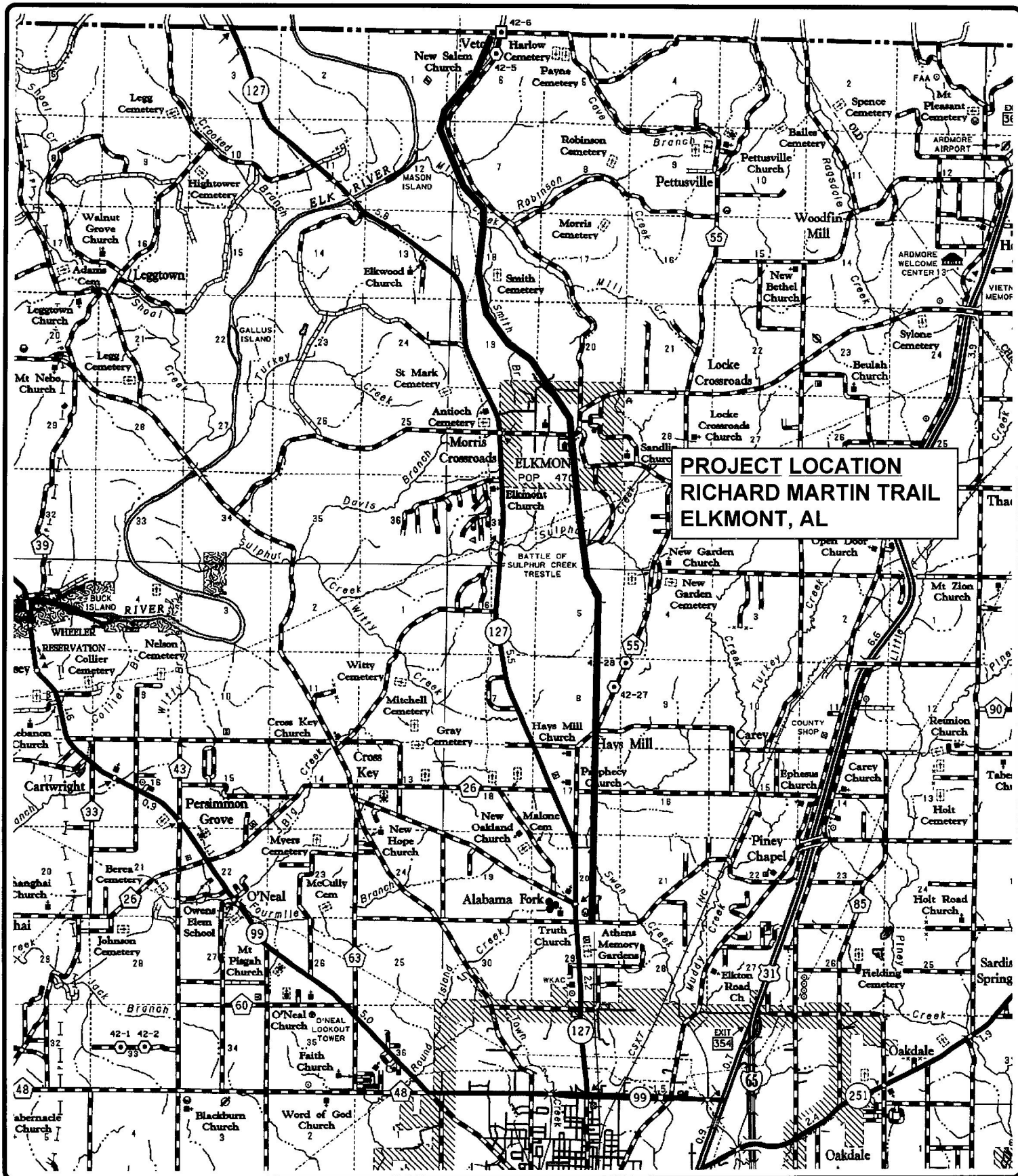
Two interpretive signs will be constructed; one at the Sulfur Creek Trestle, and one at the Elkmont station. These signs will depict the battle that took place at the Sulfur Creek Trestle.

Sites on the side of the trail that have eroded over time will be repaired. These repairs will ensure that the Trail stays in good condition for all users of the Trail.

There will be a Universal Trail Assessment Process (UPAP) done to the Trail and the installation of trail access information signage where needed. These improvements will enhance the scope of the original trail project and ensure the continued use of the trail by persons with disabilities.

Richard Martin Trail Budget

Category	Requested Funds
Trail Improvements	
Erosion Correction	20,000
Clearing and Grubbing	10,000
Mobilization	10,000
Bridges	
Repair two (2) Bridges	90,000
Engineering (10%)	13,000
Signage	
Editing, scans, Photoshop work,	
Design, file archiving, proofs,	
Fabrication shipping/handling, and	
Administration and construction	8,000
Universal Trail Assessment Process (UTAP)	10,000
Total Project	161,000



PROJECT SITE MAP
 for
 RICHARD MARTIN TRAIL BRIDGE IMPROVEMENTS

SCALE : NTS

B6

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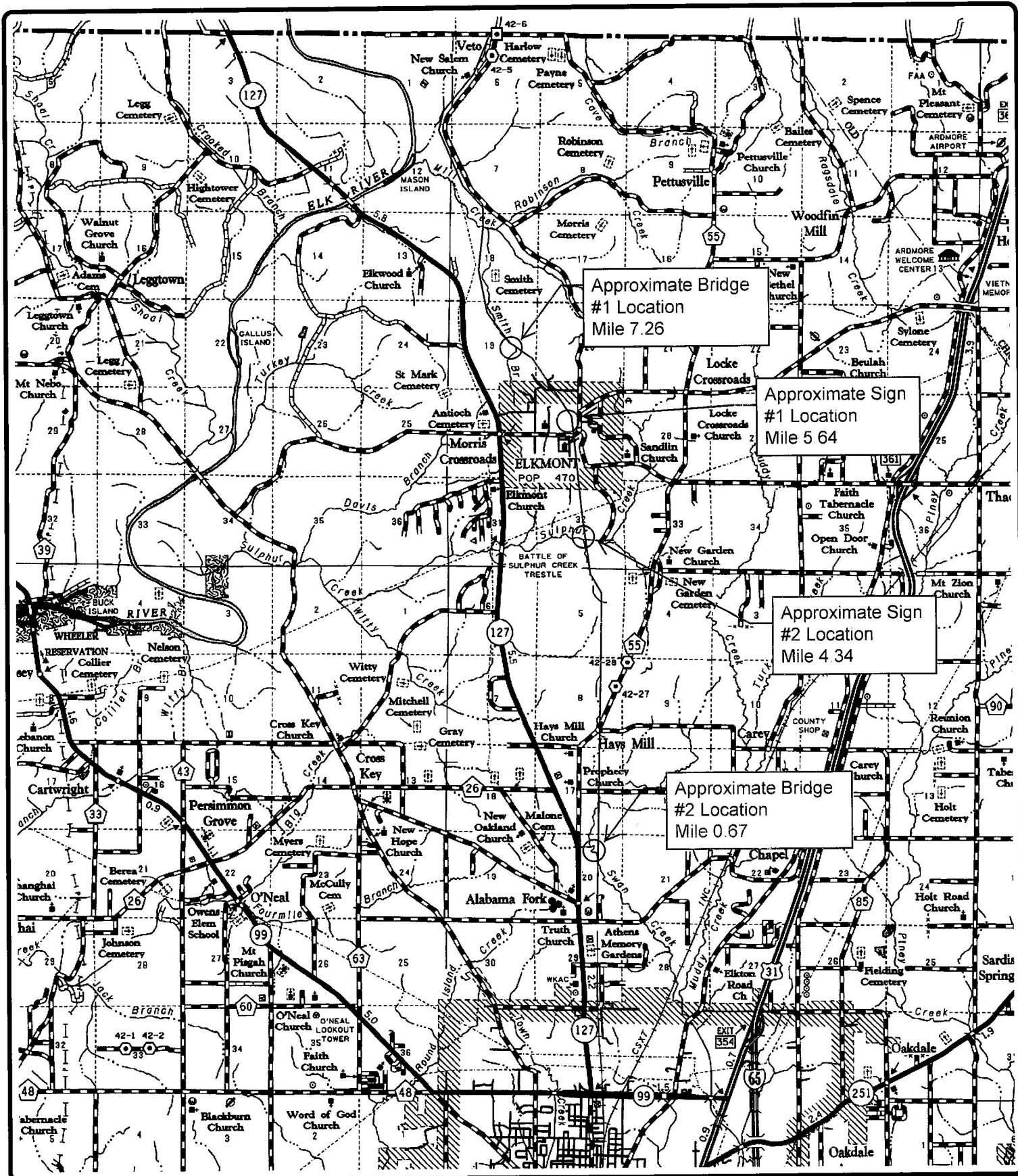
EXHIBIT B

Description of property in: Limestone County, Alabama
To: Limestone County Parks & Recreation Board
CSXT Deed File No.: 1993-00171-NEG

A strip of land varying in width situate in Sections 6, 7, 18, 19, 20, 27 and 32 in Township 1 South, Range 4 West; in Sections 1 and 12 in Township 1 South, Range 5 West, and in Sections 5, 8, 17 and 20 in Township 2 South, Range 4 West, all in Limestone County, Alabama, lying on either side of the following described centerline:

BEGINNING at the point of intersection of the former centerline of Grantor's Main Line Track at Valuation Station 14782+05 with the State Line between the States of Alabama and Tennessee, such BEGINNING POINT being indicated on a fragment print of Grantor's Valuation Map V. 18, sheet 1, marked Exhibit B-1, attached hereto; thence extending generally in a southerly direction along the former centerline of track, a distance of 10.24 miles, more or less, to the ENDING POINT at Valuation Station 15322+32.5, being 340 ft., more or less, north of the south line of the north half of Section 20, Township 2 South, Range 4 West, such ENDING POINT being indicated on a fragment print of Grantor's Valuation Map V. 18, sheet 7, marked Exhibit B-2, attached hereto; Containing 117.32 acres, more or less, as shown in detail on Grantor's Maps V. 18, sheets 1 through 7, inclusive, incorporated herein by reference.

BEING all or part of the same property acquired by a predecessor of Grantor, by the following instruments, recorded among the Public Land Records of Limestone County, Alabama:



PROJECT LOCATION MAP
for
RICHARD MARTIN TRAIL BRIDGE IMPROVEMENTS

SCALE : NTS

USER NAME

PASSWORD

LOG IN[Forgot Username?](#)[Forgot Password?](#)[Create an Account](#)[Learn About Registration Status](#)[How do I start a registration?](#)[What is Draft status?](#)[What is Work in Progress status?](#)[What is Submitted status?](#)[What is Active status?](#)[What is Expired status?](#)[What If?](#)[What if my entity fails TIN validation?](#)[What if my entity fails CAGE Code validation?](#)[What if I still need help?](#)[What's Next?](#)[Find Your Registration in SAM](#)

SAM Status Tracker

Check Entity Registration Status

Page Description

You can quickly check an entity's registration status in SAM by entering a DUNS Number or CAGE Code. The SAM Status Tracker will show you the current status of the entity associated with that DUNS Number or CAGE Code, as well as tell you what steps are left to complete based on why they are registering.

The SAM Status Tracker uses seven circles to represent steps in the registration process: Core Data, Assertions, Reps & Certs, POCs, Submit, Processing, and Active. Visual indicators in the circles, text underneath the circles, a status message in bold above the circles and user messaging combine to give the registration status.

You will only see the registration status for publicly-searchable registration records in the SAM Status Tracker. Federal government users must log into SAM and search for non-public records.

Use the SAM Status Tracker Now

Check registration status by typing in a DUNS Number.

DUNS Number 050312271 Plus 4 (Optional) Search Reset

Or, check registration status by typing in a CAGE Code.

CAGE Code Search Reset

LIMESTONE, COUNTY OF

Status: Active

Your registration was activated on Dec 06, 2016. It expires on Dec 06, 2017 which is one year after you submitted it for processing.

Core Data
Completed

Assertions
Not Required

Reps & Certs
Not Required

POCs
Completed

Submit
Completed

Processing
Completed

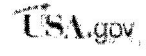
Active
Completed

SAM | System for Award Management 1.0

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FAPIS



Note to all Users: This is a Federal Government computer system. Use of this system constitutes consent to monitoring at all times.